

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 19-cr-0096 (WMW/HB)

Plaintiff,

ORDER DISMISSING COUNT 8

v.

Travis Kyle Mayer,

Defendant.

This matter is before the Court on Plaintiff United States of America's motion to dismiss without prejudice Count 8 of the third superseding indictment, which charges Defendant Travis Kyle Mayer with possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B), (b)(2). "The government may, with leave of court, dismiss an indictment, information, or complaint." Fed. R. Crim. P. 48(a). The government must obtain the defendant's consent to dismiss a charge only if the dismissal is sought *after* the trial has commenced. *See id.* Because the trial in this case has not yet commenced, the Court grants the United States's motion to dismiss Count 8.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Count 8 of the third superseding indictment is **DISMISSED WITHOUT PREJUDICE**.

Dated: June 18, 2021

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge